

# Examination Tools

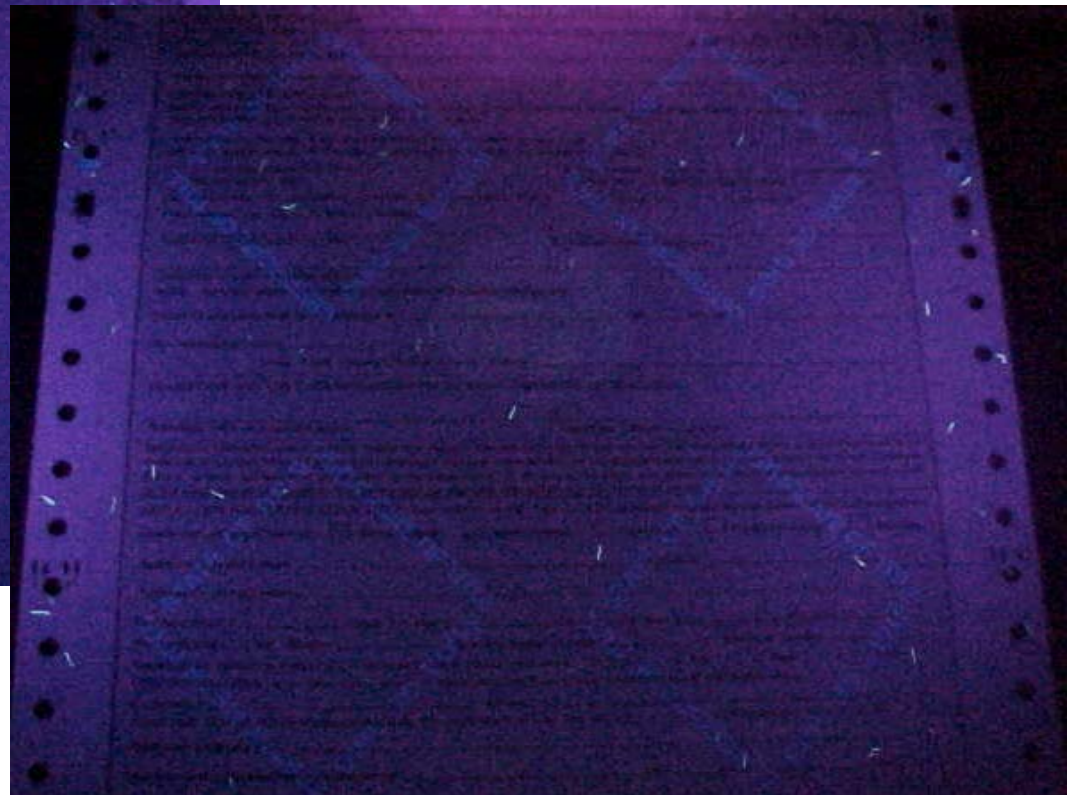
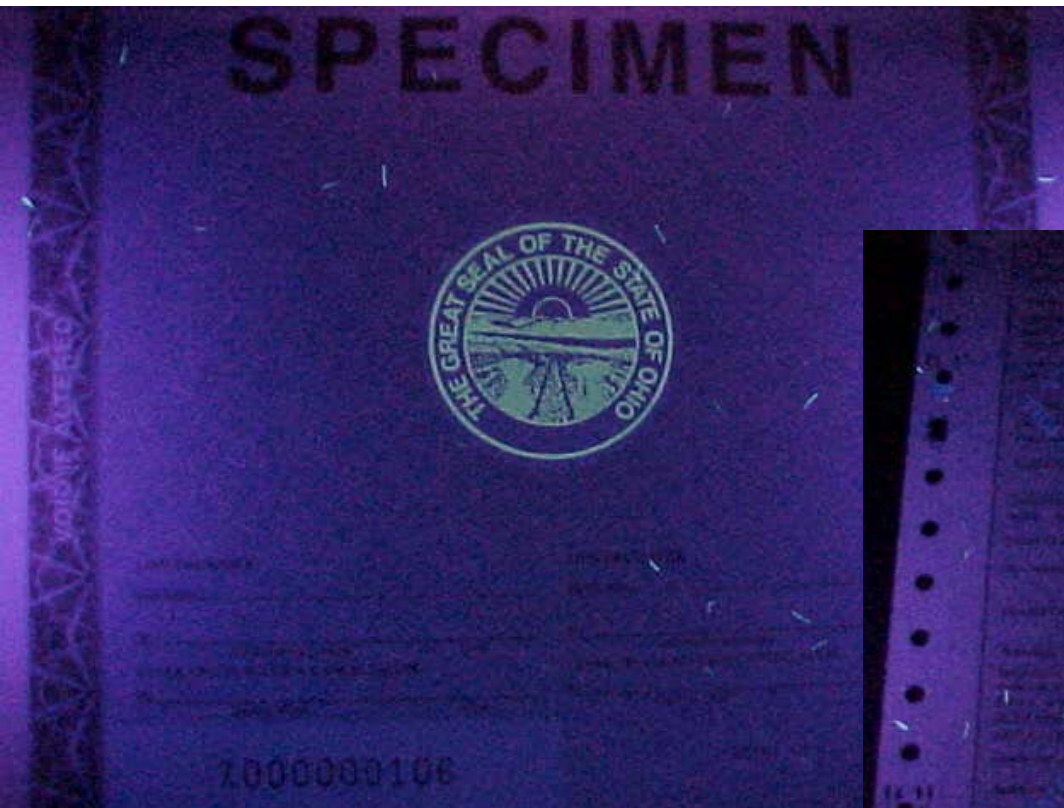


- **Loupe/  
Magnifying glass**



- **UV/ Black Light**
- **Lightbox**

# Ohio Titles



**Microfibers and diamonds will fluoresce**

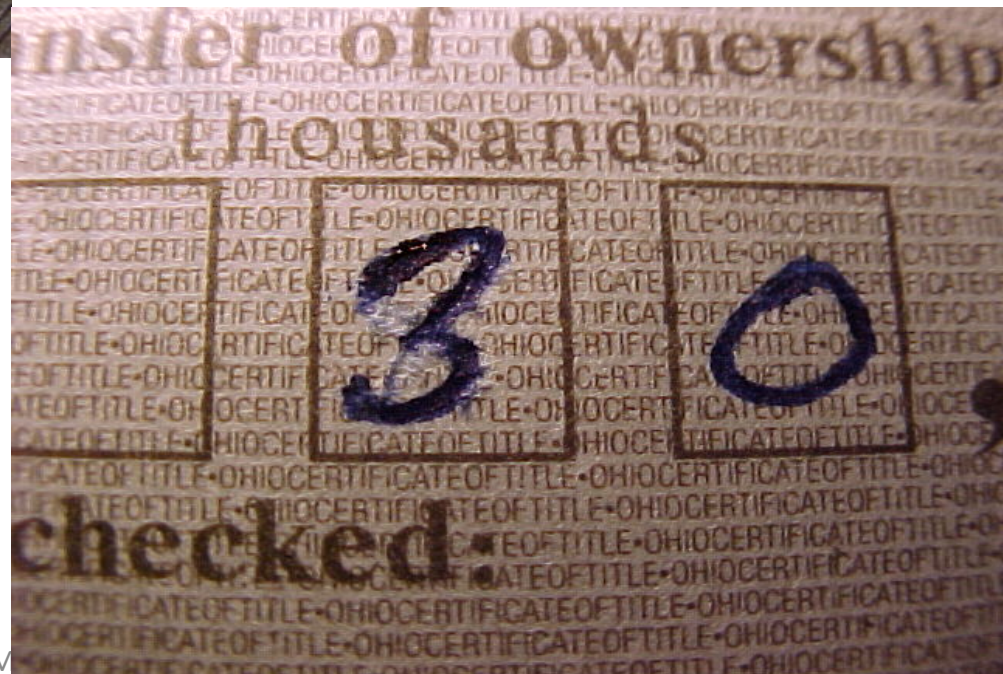
**State Seal may/ may not**



# Altered Title (mileage)

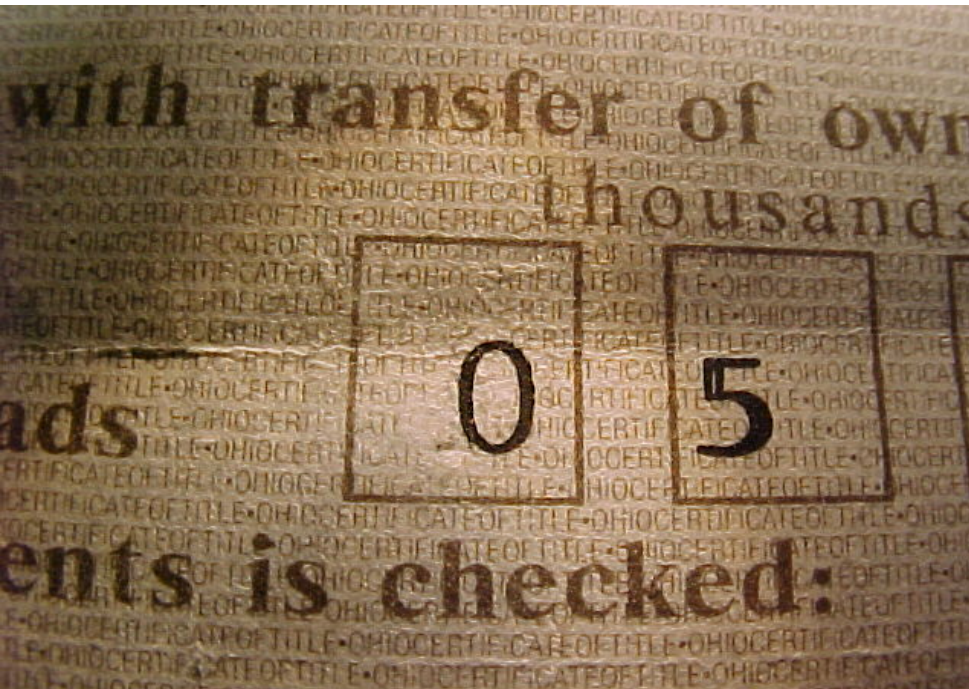
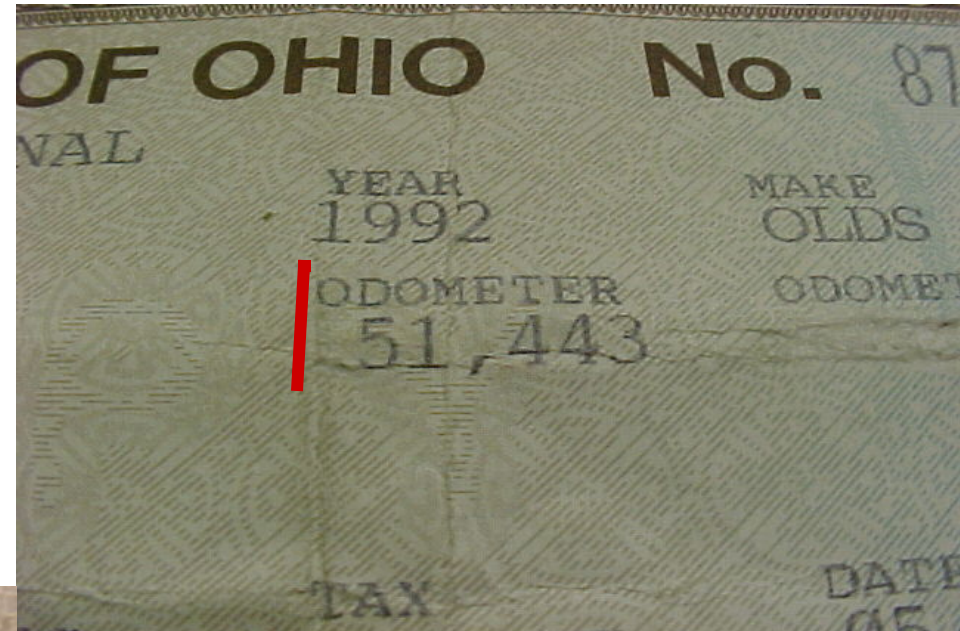


**“8” altered to appear  
as a “3”**



# Altered Title (mileage)

Number should align with the "O" in the word "ODOMETER".



First block erased and "0" inserted, second block typed over.



# Responsibilities of a Notary Public

- 1. A notary public is essentially an officer of the court. As such, notaries are relied upon to execute their duties in a way that serves to protect the public from fraud.
- 2. O.R.C. Sec. 147.14 states, "No notary public shall certify to the affidavit of a person without administering the appropriate oath or affirmation to the person." Whoever violates this section commits an unclassified misdemeanor and "shall be fined not more than one hundred dollars or imprisoned not more than thirty days, or both."
- 3. In the affidavits on the back of a title, the notary states, "Sworn to and subscribed in my presence by..." As such, a notary who fails to witness the signature of the affiant can be charged with falsification (M-1) or tampering with records (F-3).
- 4. Notaries who fail to properly fulfill their duties and thereby enable a criminal to commit a crime can expect to be charged with complicity to that crime. The penalties for complicity are the same as for the crime itself.

# General Guidelines

1. The notary public should verify the identity of the affiant.
2. As per O.R.C. Sec. 4505.07 (F)(1), "ERASURES AND ALTERATIONS VOID THIS TITLE ASSIGNMENT. (Type or print in ink.)"
3. "All blank spaces above must be completed before acknowledgement." Do not take the acknowledgement on any instrument wherein blanks are left to be filled in later. The assignment of ownership or application for certificate of title should be completely prepared before the notarization is completed.
4. The seller should sign and print his/her name as it appears on the face of the title.
5. Legal names should be used on assignments of ownership and applications for certificate of title. (Check the person's identification.)

### Notarizing an Ohio Title – General Guidelines

- ♦ **Do not** take the acknowledgment on any instrument wherein blanks are left to be filled in later. The legal instrument must be completely prepared before notarization is completed.
- ♦ When selling a vehicle or watercraft, the seller must sign and print their name(s) as it appears on the face of the title.
- ♦ Assignments of ownership must be in the form of legal names:
  - Clifton J. Smith—not CJ Smith
  - Richard L. Jones Jr.—not Dick Jones
- ♦ **Do not**, under any circumstances, white out or scribble out any errors on the title assignment; this will void the title and a replacement must be issued.
- ♦ If someone signs the back of a title on behalf of a company or other entity, they must state their position within that entity:
  - ABC Trucking Company, John F. Rees, Fleet Mgr.
  - Dixie Candy Corp, Dennis T. Dix, Owner
  - Abel Family Trust, Carol A. Abel, Trustee
- ♦ If the seller or buyer is under 18 years of age, the custodial parent or guardian must fill out a notarized minor consent form (available from the Clerk of Courts Title Office). The minor must bring this consent form—along with the certificate of title—to the Clerk of Courts office, or the parent/guardian must appear in person with the minor at the time of transfer. The guardian must provide the court document indicating that they are the legal guardian of the minor.
- ♦ If you take the acknowledgment from a person appointed as power of attorney, the notarized power of attorney form (available from any of the Clerk of Courts Title Offices, or on our web site) must be surrendered at the time of transfer of ownership.
  - A Durable Power of Attorney is acceptable
  - A Health Care Power of Attorney is not acceptable
- ♦ If you take the acknowledgment from a person appointed by the Court, the Court Order must bear the Judge's signature and seal, and must be surrendered at the time of transfer of ownership:
  - Court Order appointing Executor, Fiduciary, Guardian, etc.
  - Letter of Authority to Transfer
  - Relief from Administration of Estate

**Ohio ORC #4505.02 requires that each applicant must present an official photo identification.**

# Assignment of an Ohio Title (Top portion of the back of Title)

1. Selling price
2. Date of Sale/Delivery
3. Minor? (consent form required)
4. Buyer(s) legal name and address
5. Odometer reading as shown on vehicle
6. If odometer is 5 digits and rolled over, place (X) in box  
(in excess of mechanical limits)
7. If odometer is broken or any other discrepancy exists, place (X) in  
box
8. Check appropriate box, if applicable
9. Printed name(s) of seller(s)
10. Signature of seller(s)
11. Address of seller(s)
12. Person(s) name who signed in front of you
13. Notary Date
14. Commission expiration date
15. Printed name of Notary Public
16. Signature of Notary Public
17. Notary Seal

Note: Complete only if all lines are completely filled out.

ASSIGNMENT OF OWNERSHIP	
I (we) certify the vehicle or watercraft or outboard motor described in this title was delivered on <u>2</u> / / for the price of <u>1</u> \$ to:	
Transferee's/Buyer's printed name <u>4</u>	
Transferee's/Buyer's printed address _____	
ODOMETER CERTIFICATION	
Federal and State laws require that you state the mileage in connection with transfer of ownership. Failure to complete or providing false information may result in fines and/or imprisonment.	
I (we) certify to the best of my (our) knowledge that the odometer now reads <u>5</u> thousands <u></u> hundreds <u></u> tens <u></u> miles and is the actual mileage of the vehicle unless one of the following statements is checked.	
<u>6</u> <input type="checkbox"/> The mileage stated is in excess of the mechanical limits.	<u>7</u> <input type="checkbox"/> The odometer reading is not the actual mileage.
This vehicle was a (if applicable): <u>8</u> <input type="checkbox"/> Former Law Enforcement Vehicle <input type="checkbox"/> Former Taxi <input type="checkbox"/> Flood Vehicle	
I (we) warrant the title to be free of all liens.	
<u>9</u> Transferee's/Seller's printed name	<u>10</u> Transferee's/Seller's signature
<u>11</u> Transferee's/Seller's printed address	
NOTE: All blank spaces above must be completed before acknowledgement.	
Sworn to and subscribed in my presence by <u>12</u> this <u>13</u> day of _____ yr. _____	
<u>14</u> My commission expires _____ yr. _____	<u>15</u> Printed Notary Name
<u>17</u> (seal) Clerk, Deputy Clerk of Courts - Notary	
TRANSFEREE'S/BUYER'S ACKNOWLEDGEMENT OF ABOVE ODOMETER CERTIFICATION	
Transferee's/Buyer's printed name _____	
Transferee's/Buyer's signature <u>X</u>	
Warning to transferor and transferee (seller and buyer.) You are required by law to state the true selling price. A false statement is in violation of section 2921.13 of the Ohio Revised Code and is punishable by six months imprisonment and a fine of up to one thousand dollars, or both. All transfers are audited by the Department of Taxation. The seller and buyer must provide any information requested by the Department of Taxation. The buyer may be assessed any additional tax found to be due.	
APPLICATION FOR CERTIFICATE OF TITLE (Type or Print in Ink) Fee of \$5.00 for failure to apply for title within 30 days of assignment	
Check type of application(s): <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Memorandum <input type="checkbox"/> Watercraft <input type="checkbox"/> Outboard Motor <input type="checkbox"/> Salvage	
Applicant's printed name _____ SSN/EIN _____	
Applicant's printed address _____ STREET _____ CITY _____ ZIP _____ COUNTY _____	
Purchase Price \$ _____ Gross Tax Due \$ _____ Vendor's Discount \$ _____ Tax Paid \$ _____	
Tax exemption: <input type="checkbox"/> Yes Reason _____ Dealer's Permit Number _____ Vendor's Number _____	
Condition of vehicle or watercraft or outboard motor (check only one): <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Wrecked	
LIEN INFORMATION: If no lien, state "none". If more than one lien, attach statement of all additional liens.	
Lienholder _____ Address _____	
I (we) state that all information contained in this application is true and correct.	
Is Applicant a Minor? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Applicant's signature <u>X</u> <input type="checkbox"/> Printed <input type="checkbox"/> Non Printed	
Sworn to and subscribed in my presence by _____ this _____ day of _____ yr. _____	
My commission expires _____ yr. _____	
(seal) Clerk, Deputy Clerk of Courts - Notary	



# Application for an Ohio Title (Bottom portion of the back of Title)

1. Type of Title
2. Buyer(s)' legal name
3. Buyer(s)' Social Security Number
4. Buyer(s)' physical address
5. County of residence
6. Purchase price
7. N/A (Dealer sale only)
8. N/A (Dealer sale only)
9. N/A (Dealer sale only)
10. If sale is exempt from tax, place (X) in box
11. Reason for exemption
12. N/A (Dealer sale only)
13. N/A (Dealer sale only)
14. Condition of vehicle/watercraft
15. Lienholder's name and address (if applicable)
  - If no liens – state “none”
16. Minor? (consent form required)
- 17A. Buyer(s)' signature
- 17B. Buyers' acknowledgment of mileage
18. Choose (X) printed or (X) non-printed
19. Person's name who signed in your presence
20. Notary Date
21. Commission expiration date
22. Signature of Notary Public
23. Notary Seal

ASSIGNMENT OF OWNERSHIP	
I (we) certify the vehicle or watercraft or outboard motor described in this title was delivered on _____ for the price of \$ _____ to: _____ Is Seller a Minor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Transferee's/Buyer's printed name _____	
Transferee's/Buyer's printed address _____	
<b>ODOMETER CERTIFICATION</b> Federal and State laws require that you state the mileage in connection with transfer of ownership. Failure to complete or providing false information may result in fines and/or imprisonment.	
I (we) certify to the best of my (our) knowledge that the odometer now reads _____, _____, _____, _____, _____, _____ miles and is the actual mileage of the vehicle unless one of the following statements is checked.	
<input type="checkbox"/> The mileage stated is in excess of the mechanical limits.	<input type="checkbox"/> The odometer reading is not the actual mileage.
WARNING - ODOMETER DISCREPANCY	
This vehicle was a (if applicable): <input type="checkbox"/> Former Law Enforcement Vehicle <input type="checkbox"/> Former Taxi <input type="checkbox"/> Flood Vehicle	
I (we) warrant the title to be free of all liens.	
Transferor's/Seller's printed name _____	Transferor's/Seller's signature _____
Transferor's/Seller's printed address _____	
NOTE: All blank spaces above must be completed before acknowledgement.	
Sworn to and subscribed in my presence by _____ this _____ day of _____ yr. _____	
My commission expires _____ yr. _____	Printed Notary Name _____
(seal) Clerk, Deputy Clerk of Courts - Notary _____	
<b>TRANSFEREE'S/BUYER'S ACKNOWLEDGEMENT OF ABOVE ODOMETER CERTIFICATION</b>	
<b>17B</b> _____	
Transferee's/Buyer's printed name _____	Transferee's/Buyer's signature _____
Warning to transferor and transferee (seller and buyer.) You are required by law to state the true selling price. A false statement is in violation of section 2921.13 of the Ohio Revised Code and is punishable by six months imprisonment and a fine of up to one thousand dollars, or both. All transfers are audited by the Department of Taxation. The seller and buyer must provide any information requested by the Department of Taxation. The buyer may be assessed any additional tax found to be due.	
<b>APPLICATION FOR CERTIFICATE OF TITLE (Type or Print in Ink)</b> Fee of \$5.00 for failure to apply for title within 30 days of assignment.	
Check type of application(s): <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Memorandum <input type="checkbox"/> Watercraft <input type="checkbox"/> Outboard Motor <input type="checkbox"/> Salvage	
Applicant's printed name <b>2</b> _____ SSN/EIN <b>3</b> _____	
Applicant's printed address <b>4</b> _____ STREET _____ CITY _____ ZIP _____ COUNTY <b>5</b> _____	
Purchase Price \$ <b>6</b> _____ Gross Tax Due \$ <b>7</b> _____ Vendor's Discount \$ <b>8</b> _____ Tax Paid \$ <b>9</b> _____	
Tax exemption: <input type="checkbox"/> Yes Reason <b>11</b> _____ Dealer's Permit Number <b>12</b> _____ Vendor's Number <b>13</b> _____	
Condition of vehicle or watercraft or outboard motor (check only one): <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Wrecked	
LIEN INFORMATION: If no lien, state "none". If more than one lien, attach statement of all additional liens.	
Lienholder <b>15</b> _____ Address _____	
I (we) state that all information contained in this application is true and correct.	
Is Applicant a Minor? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Applicant's signature <b>17A</b> <input checked="" type="checkbox"/> _____ <b>18</b> <input type="checkbox"/> Printed <input type="checkbox"/> Non Printed	
Sworn to and subscribed in my presence by _____ this _____ day of _____ yr. _____	
My commission expires <b>21</b> _____ yr. _____	
<b>23</b> (seal) Clerk, Deputy Clerk of Courts - Notary <b>22</b> _____	

**Notarize only if all lines are completely filled out.**

## When a Power of Attorney form is necessary for a Certificate of Title transaction, it must always be notarized.

- A power of attorney (POA) form must always accompany the title, and becomes part of the permanent title record.
- A power of attorney form may only be used for one transaction.
  - ➔ For instance: if you are transferring a title to someone else, but have lost the original title—one POA is required to obtain a duplicate title. A second, separate POA is required to transfer the title out of the first owner's name.
- An executor of an estate or trustee cannot give power of attorney to someone else to sign on their behalf.

MARYELLEN O'SHAUGHNESSY

Clerk of Courts, Franklin County, Ohio

## Power of Attorney

*Know All Men by These Presents, that the undersigned does hereby make, constitute and appoint*

Name \_\_\_\_\_

Address \_\_\_\_\_

My true and lawful attorney-in-fact for me and in my name, place and stead, to make and execute the assignment of or application for my Certificate of Title covering the following described motor vehicle, to-wit:

Make \_\_\_\_\_ Year \_\_\_\_\_

Serial No. \_\_\_\_\_

And granting to my said attorney-in-fact full authority to do and perform all and every act and thing whatsoever, requisite, necessary and proper to be done in and about the premises as fully and to all intents and purposes as the undersigned might or could do with full power of substitution and revocation hereby ratifying and confirming all that said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

*In Witness Whereof, the undersigned has caused his name to be subscribed hereto this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_*

\_\_\_\_\_  
Social Security # of person  
giving power of attorney

\_\_\_\_\_  
Signature of person giving power of attorney

### ACKNOWLEDGMENT

STATE OF OHIO,  
COUNTY OF FRANKLIN} SS

Before me a Notary Public in and for said County personally appeared

\_\_\_\_\_, who acknowledged the signing of the foregoing instrument and that such signing is his free act and deed.

*In Testimony Whereof, I have hereunto set my hand and affixed my official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_*

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County, Ohio

My Commission Expires \_\_\_\_\_

# Power of Attorney

When a principal has designated another as the principal's attorney in fact, a photocopy of the principal's acceptable identification should accompany the power of attorney form.

The deputy clerk will record the principal's OL/ID number and state of issuance on the application. Upon completion of the title transaction, the photocopy of the principal's acceptable identification is to be shredded.

Be sure to require identification from the person who has been appointed attorney in fact.



# **Sec. 4505.071 of the Revised Code states in part:**

“...a licensed motor vehicle dealer involved in a title transfer, or a licensed motor vehicle salesman employed by such a dealer, may act as a witness to the signature of a principal designating another as the principal’s attorney in fact, and after the principal signs in the dealer’s or salesman’s presence shall swear before a notary public that the principal signed in the dealer’s or salesman’s presence. As witness the dealer or salesman shall sign in the place provided, inserting the dealer’s or salesman’s license number. The notary public, in such cases, shall administer an oath of the witness.”

# **Responsibilities of a Deputy Clerk of Courts**

- **O.R.C. Sec. 4505.16 states, “The clerk of court of common pleas and his authorized deputies may administer oaths on any application or affidavit required by sections 4505.01 to 4505.21 of the Revised Code.”**
- **In addition, O.R.C. Sec. 4505.06 (A)(1) states in part, “Application for a certificate of title shall be made in a form prescribed by the registrar of motor vehicles and shall be sworn to before a notary public or other person empowered to administer oaths.”**

# **Responsibilities of a Deputy Clerk of Courts**

- 1. A deputy clerk is an officer of the court. As such, deputy clerks are relied upon to execute their duties in a way that serves to protect the public from fraud.**
- 2. If the deputy clerk is not a notary public, the deputy clerk may only administer the oaths required by sections 4505.01 to 4505.21 of the Revised Code.**
- 3. O.R.C. Sec. 4505.06 (A)(3) states in part, “The clerk shall use reasonable diligence in ascertaining whether or not the facts in the application for a certificate of title are true by checking the application and documents accompanying it or the electronic record...”**



**When a Notarization or “sworn to”  
Statement is Required**

**ALL ASSIGNMENTS OF  
OWNERSHIP REQUIRE  
NOTARIZATION**

# **When a Notarization or “sworn to” Statement is Required**

In regard to “sworn to” statements for an application for certificate of title, O.R.C. Sec. 4505.062 states in part, “that requirement shall apply only in the case of a transfer of a motor vehicle between parties in the course of a casual sale, ...”

## **What does this mean?**

If any type of licensed motor vehicle dealer, resale-daily rental, resale-watercraft, or resale-out of state leasing entity is involved in either end of the transaction, a “sworn to” statement is not required for the application for certificate of title.

# **When a Notarization or “sworn to” Statement is Required**

If a “sworn to” statement is required, it is the duty of the deputy clerk to administer the appropriate oath or affirmation.

When administering the appropriate oath or affirmation, the deputy clerk will complete the notarial statement by indicating the name of the person sworn to the affidavit and the date the deputy clerk administered the oath and witnessed the signature.

When processing an application for a duplicate title, record the applicant’s OL/ID number and state of issuance on the application. Require the applicant to indicate “lost” or “destroyed” in the appropriate place on the application in his own handwriting.



# What to do When Presented with a Fraudulent Identifier or Fraudulent Evidence in an Attempt to Obtain Title

A certificate of title containing *an incomplete or altered assignment of ownership* should be marked on the back in the border, "Seller to obtain replacement affidavit."

The deputy clerk will initial and highlight this notation. The deputy clerk will make and retain a photocopy of the customer's identification and the front and back of the title before returning the original to the customer.

The office manager will review these incomplete or altered assignments of ownership. At the office manager's discretion, these incomplete or altered assignments of ownership will be relayed to the investigating authority for followup.

# **What to do When Presented with a Fraudulent Identifier or Fraudulent Evidence in an Attempt to Obtain Title**

A certificate of title containing an altered application for title should be marked on the back in the border, "Seller to obtain replacement affidavit."

The deputy clerk will initial and highlight this notation. The deputy clerk will make and retain a photocopy of the customer's identification and the front and back of the title before returning the original to the customer.

The office manager will review these altered applications for title. At the office manager's discretion, these altered applications for title will be relayed to the investigating authority for followup.

# **What to do When Presented with a Fraudulent Identifier or Fraudulent Evidence in an Attempt to Obtain Title**

Counterfeit documents or identifiers should be confiscated. Do not issue a title.

The deputy clerk will photocopy the front and back of any counterfeit documents or identifiers before alerting the customer to the problem. The deputy clerk will provide the customer with a receipt for any confiscated items.

Contact information for the investigating authority should be included on the receipt. Do not mail the confiscated items. As soon as possible, the office manager should contact the investigating authority to take possession of the confiscated items.

# **What to do When Presented with a Fraudulent Identifier or Fraudulent Evidence in an Attempt to Obtain Title**

Documents containing a forged signature or evidence of an attempt at odometer fraud, tax fraud, or title fraud should be confiscated. Do not issue a title.

The deputy clerk will photocopy the front and back of all related documents or identifiers before alerting the customer to the problem.

The deputy clerk will provide the customer with a receipt for any confiscated items. Contact information for the investigating authority should be included on the receipt.

Do not mail the confiscated items. As soon as possible, the office manager should contact the investigating authority to take possession of the confiscated items.



Note: *Do not put yourself in jeopardy.*

If possible, write down the license plate number of the vehicle in which the customer drives away.

Include a narrative paragraph about why you believe the issue should be reviewed for investigation. This paragraph should include a description of what occurred. If you are not sure of what to write, simply answer the usual interrogatives (who, what, where, when, why, how, and how much). Be sure to include the name, address and phone number(s) for the customer.

You'll find your instincts will be quite good.

Issues forwarded to the investigating authority will be thoroughly reviewed. If the documents are found to be legitimate, they will be returned to the customer. If the documents are found to be fraudulent, they will be retained as evidence in the investigation.

# Criminal Activity

- **ANY** agency can be victimized by a customer with criminal intent.
- **ANY** agency can be victimized by an employee with criminal intent.

## Some Common Signs of Possible Criminal Activity

1. Watch for tally marks or records.
2. Are there people loitering outside the office?
3. Are customers meeting with these loiterers?
4. When on break, are employees meeting with these loiterers?
5. Are customers asking to be served by a particular employee?
6. Do customers give up their place in line in order to be served by a particular employee?
7. Any customer's attempt at bribery is to be reported to your immediate supervisor.